

### **Riley v. Taylor:**

- **Short description:** James Riley, an African-American, was convicted and sentenced to death for felony murder by an all white jury. After several unsuccessful post-conviction motions and appeals, Riley filed a motion in federal court to challenge his conviction.
- **Procedural setting:** In the District Court Riley argued that (1) jurors were wrongly excluded based on their race, violating the 14<sup>th</sup> Amendment's Equal Protection Clause; and (2) that the jury had been misled about their responsibility in applying the death penalty. The District Court denied his motion on all grounds, and a divided three judge panel affirmed, with Alito authoring the majority opinion. Ultimately the 3<sup>rd</sup> Circuit agreed to hear Riley's appeal en banc.
- **Appellate ruling:** The en banc majority held that the lower court failed to evaluate the proffered race-neutral reasons for excluding black jurors in the light of contradictory evidence about the high rate at which the same prosecutor's office had excluded blacks in the past. Alito dissented and minimized the majority's concerns by comparing the evidence of black juror exclusion to the tendency for President's to be left-handed.